Convoy Dispatch

VOICE OF THE TEAMSTER RANK AND FILE SINCE 1975 — June 1999 # 177

Contract Expires May 31

Carhaulers Ready to Strike

"If we go out, we won't settle short. We're out to get what we deserve and what Hoffa has promised he'll deliver." That comment from a Teamster driver who just voted to authorize a strike is typical of what we're hearing from coast to coast.

Following a mid-May 96 percent vote (5,705 to 251) to authorize a strike, 12,000 Teamster carhaulers are heading toward a June 4 showdown. Bargaining continues in Washington, D.C., as the June 1 expiration nears, and Hoffa has stated that the extension the union granted will not go past June 4.

By late May the employers have not agreed to any of the union's major demands, which are considered both reasonable and attainable. These demands include:

- **The right to strike** to prevent the continual contract violations that constantly erode the contract and destroy union jobs.
- **A new pension breakthrough.** The Central States Fund and others have been raking in cash at a record pace and can easily provide a new increased 25-and-out with full medical. Hoffa has repeatedly promised this will be won.
- **New job security protections,** by strengthening the Work Preservation Agreement to ensure that carhauling is Teamster work.
- **Wage increases and income protection.** This includes improvements in the "frozen" rates, address-to-address mileage pay, wage increases to protect our standard of living, and stopping the playing of one local against another.
- **Health and safety improvements,** including protections against the forced long hours that are increasingly common.
- **No concessions or givebacks.** No two-tier schemes, and no flex work week to destroy weekends and undermine family life.

The employers still have demands on the table for two-tier pay scales for so-called new work, and for new employees. They are keeping these on the table to try to make us believe they gave us something when they pull them off.

Drivers, yard, shop, driveaway and office Teamsters, are united for a good contract.

Despite the secret (from the rank and file) negotiating style that the Hoffa administration has imposed and lack of rank and file representation on the committee, carhaulers and all Teamsters are ready to unite and ready to win.

"We need to join together to build local unions that will do the right thing no matter who puts pressure on them. In our local we elected a so-called reformer, but after taking office he folded and turned his back on us. Now the contract is not enforced, grievances go unaddressed, and members are suffering.

"TDU is about changing this. If we want to get our union on the reform track, then you need to join TDU today!"

—Ronny Hale
Local 767, UPS, Dallas

JOIN TDU

TDU MEMBERSHIP APPLICATION

Name _____ Local _____

Address _____

City _____ State _____ Zip _____

Phone (_____) _____ Company _____

❑ City ❑ Road ❑ Dock ❑ Clerical ❑ Warehouse ❑ Construction ❑ Production

other _____

___ $35 one-year membership & subscription to *Convoy Dispatch.*

___ $85 three-year membership fee. ($10 shall be rebated to the local chapter)

___ $20 for spouses, and Teamsters who gross less than $17,000 a year.

___ $20 for retirees. Retired from Local ____ .

Check or money order

Mastercard/Visa # _____ Exp. date ___/____

Date _____ Signature _____

Return to: TDU, P.O. Box 10128, Detroit, Mich. 48210

TDU membership is kept confidential from employers. TDU solicits and accepts membership applications and donations only from Teamsters, retired Teamsters and spouses who are not employers.

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Letters From Our Members

Put Organizing Before Politics

On March 31,1999 the new Hoffa Administration fired the bulk of the Organizing Department and Field Services staff. That was not a shock, because we all expected it. Most of us had campaigned hard for Leedham, so it came as little surprise that Hoffa didn't retain us.

What was a shock, however, was that since I was terminated no one from the new IBT organizing department has contacted me about the six organizing campaigns I had been working on. The workers have been left out in the cold. Some have contacted me and reported that calls to the IBT have gone unanswered.

Hopefully new organizing director John Murphy will get a handle on this situation quickly, before these workers suffer retaliation, retribution or lose their jobs for trying to organize.

The International must put politics aside and give these workers who want to become Teamster members the full backing of our union.

Terry Meadows
Local 26, Former IBT Organizer
Fithian, Ill.

Hoffa Parties; Members Fight On

Over the past few weeks I have read news coverage of the Hoffa administration's inaugural events across the country.

If only the new administration would put the same effort into contract battles as they are putting into their parties. Northwest Airlines flight attendants have been fighting nearly three years for a contract. UPS workers are waiting for full-time jobs, Anheuser-Busch workers have been negotiating for over a year, and the carhaul agreement expires the end of this month. In many of these cases talks have either stalled or broken off. Ask any of these Teamsters if they feel like partying. The answer will be a resounding no.

The new administration was installed in March, and the parties began almost immediately, but not for everyone. Many skilled International staff members who were helping members with contract fights were let go.

This has been an especially painful transition for Northwest members. As BA for 459 flight attendants based in Hawaii, I relied on accurate, timely information in the form of bulletins, flyers and stickers from the Communications Department. The new staff is not up to speed on our issues and tactics, and we have wasted valuable time "re-educating" the new administration.

So who has stepped into the void? TDU. TDU members have stepped forward to assist flight attendants in our final push for a contract. TDU members generated thousands of signatures on petitions for full-time UPS jobs. TDU members have distributed *Convoy Dispatch*, spreading the word about contract negotiations and concessionary proposals to carhaulers. And it is TDU keeping the A-B workers' issues out in the open while Hoffa meets privately with Augie Busch, and walks away with nothing.

For many rank and file Teamsters, there is no party, but the battle for good contracts wages on.

Ashley Ann McNeely
Local 2000, Northwest Air
Honolulu, Hawaii

New Orleans BA Exposes New Side

While visiting a New Orleans UPS hub, Local 270 business agent Jerry Tolbert needed to use the bathroom. At the time a women Teamster member was cleaning the bathroom. When told the bathroom was not available, Tolbert replied, "You are going to see this bird," and exposed himself. Tolbert had to be escorted from the premises by security.

Any UPS employee would be fired on the spot for that sort of conduct. Shouldn't union reps be held to a high standard of professionalism?

Mike Solomon
Local 270, UPS
New Orleans

A Different View on NAFTA

I am not against NAFTA. I believe it is an opportunity for Teamsters and all unions to expand.

If we would take our brightest Spanish-speaking members and send them to Mexico to organize workers, and get our politicians to support this effort, it would benefit the people and economies of all NAFTA countries.

Russell Nolte
Local 301, retired
Waukegan, Ill.

TDU Meets

Chicagoland TDU Picnic
Sunday, June 27, noon
Castaldo Park
Near Hwy. 53 and 71st St.
Woodridge, Ill.
For information call 773-589-2033

Evergreen State TDU
Sunday, June 13, 10 a.m.
Catholic Seaman's Club
2330 First Ave
corner of First and Battery
For information call 253-847-8646

Las Vegas TDU
Legal Rights Workshop
Sunday, June 6, 4-6 p.m.
St. Viator Community Center
4320 South Channel 10 Drive
For information call 313-842-2600

Michigan TDU Stewards' Training
Saturday, June 12, 10 a.m.
Big Boy Restaurant
18650 Ford Rd., Dearborn, Mich.
For information call 313-842-2600

New England TDU Conference
Sunday, June 6, 10 a.m.-3:30 p.m.
Holiday Inn
500 Lincoln St., Worcester, Mass.
For information call 718-624-7746

Northern California TDU
Saturday, July 10, 10 a.m.
Steering Committee election
Dimond Branch Oakland Public Library
Fruitvale and MacArthur
For information call 707-426-5310

Southern California TDU
Sunday, June 6, 10 a.m.
VFW Hall
101 S. Main St., Pomona, Calif.
For information call (562) 694-5831 or (760) 951-4949

Wisconsin Badger State TDU
Sunday, June 6, 12:30 p.m.
Sue's Bayview Bandwagon
2463 South St. Clair, Milwaukee
For information call (414) 327-1489

Who We Are

CONVOY DISPATCH is the voice of Teamsters for a Democratic Union. We are the united rank and file movement to reform the Teamsters, created out of the merger of PROD and TDU.

We are truck drivers, dock workers, production workers—every kind of Teamster, and spouses, too.

We are a grassroots organization with chapters from coast to coast in the USA and Canada. We believe in returning this union to the membership and we are doing it. We are a democratic organization in which every member has a voice and vote. Our 15-member International Steering Committee was elected in November 1998 for one year. Our Rank & File Convention had over 500 representatives present.

We are proud Teamsters standing up for our rights. TDU invites all Teamsters interested in defending our contracts and reforming our union to join us. We do reserve the right to exclude those who are opposed to TDU and its principles.

Rank & File Bill of Rights

I. DEMOCRATIC BY-LAWS. All business agents and stewards should be elected. Vacancies in office should be filled by special election within three months. Local union committees should be elected. Contract and strike votes should be by majority (not two-thirds). All contracts should provide for elected officers retaining company seniority.

II. DIRECT ELECTION OF OFFICERS. General President and all International officers should be elected by the membership. International VPs elected by regions. An end to trusteeships and split-off locals.

III. A FAIR GRIEVANCE PROCEDURE. Innocent until proven guilty, right to remain on the job until final procedure completed. Grievance procedure should include right to a speedy trial, arbitration by peers, and the right to strike if necessary.

IV. PRESERVATION OF WORKING CONDITIONS. The union's purpose is to expand and preserve what we have, not trade it away for anything less. People come first, not productivity.

V. SAFETY AND HEALTH. We have the right to enter the workplace without fear for our health and leave in the same condition we arrive. Teamsters should have the right, backed up by our union, to refuse unsafe work or hazardous conditions. We are not machinery.

VI. EIGHT-HOUR DAY AND FIVE-DAY WEEK. Forced overtime and unfair dispatch rules destroy our family life and cost us jobs. No mandatory overtime, "flexible" work weeks, or 70-hour slavery. We are for the advent of the four-day work week. We work to live, not live to work!

VII. A DECENT PENSION. Every dollar in the pension funds belongs to us. We are entitled to 25-and-out, cost of living on pensions, and union pension trustees elected by the rank and file and retirees to safeguard our money.

VIII. JUST SALARIES FOR OFFICERS. A union officer can't understand the problems of members who make less than half what he makes. No officer should make more than the highest paid working members in his jurisdiction. No multiple salaries from union, company, or government sources, or special fringes and pensions. Salary increases limited to the average increase for membership, and subject to membership approval.

IX. EQUALITY AMONG TEAMSTERS. Bring all wage levels up to the highest standards, not a lot for the few and little for the many. Fight the hardest for the lowest paid.

X. END TO DISCRIMINATION. Employers have used the differences in age, race and sex to divide us for decades. We oppose these injustices and divisions. Support affirmative action to correct past injustices. Employers should bear the cost of their past discrimination, not the members.

TDU International Steering Committee

Co-Chairs:
Dan Campbell, Chicago, Local 705
Joe Fahey, Watsonville, Calif., Local 912
Diana Kilmury, Vancouver, B.C., Local 155
Michael Savwoir, Kansas City, Mo., Local 41

Organizer:
Ken Paff, Detroit

Trustees:
Steve Baudo, Milwaukee Local 344
Erik Jensen, Minneapolis Local 320
Joyce Mims, Atlanta Local 728 spouse

Members:
Homer Lambert, Chicago Local 743
Matt Latzo, Baltimore Local 355
Maria Martinez, Pasco, Wash., Local 556
Ashley McNeely, Minneapolis Local 2000
Raul Rodriguez, Jr., Los Angeles Local 630
Michael Ruscigno, New York Local 802
Willie Smith, Columbus, Ohio Local 413

Alternates:
Robert Lloyd, Little Rock, Ark., Local 878
Alex Adams, Cleveland Local 407
Tom Sheibley, Brockton, Mass., Local 653

How to Contact TDU

We want to hear from you. Contact us at the address below for more information about TDU, or to send us articles or letters.

National Office: P.O. Box 10128, Detroit, Mich., 48210. Phone: (313) 842-2600. Fax: (313) 842-0227.
TDU can be contacted by e-mail at:
tdudetroit@igc.org
or on the World Wide Web at:
http://www.igc.org/tdu/

NY Office: P.O. Box 170131, Brooklyn, N.Y. 11217 Phone: (718) 624-7746. Fax: (718) 875-9336

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Driver Safety Activists Fight CF Harassment

Facing Department of Transportation fines, management at CF's Manchester, N.H., terminal is lashing out against the union activists who blew the whistle on the company's safety violations.

Unintimidated, members are continuing their fight for driver safety and filing charges against the company for its retaliatory discipline.

Since the Local 633 members began reporting safety problems, driver Jim Smith has been disciplined multiple times — including a warning letter for "delay of freight" because he was delayed by a snow storm in New Hampshire and a two-day suspension for going home sick with permission from his supervisor!

Even more outrageous, CF terminated George Carter for refusing to drive while fatigued. Carter, who had been out on compensation, was told to be available for work on Monday, May 10. But the company called Carter in to work on Friday evening instead, after he had already been up all day. Carter explained that there was no way that he could drive all night on no sleep and the company terminated him on the spot.

The following Monday, Carter returned to work under innocent-until-proven-guilty and the safety violations and retaliatory discipline continued. Supervision ordered Carter to drive a truck that had an accelerator that stuck to the floor and didn't have enough fuel to get to the designated fuel stop in Springfield, Mass.

Already facing one termination and afraid for his job, Carter figured he had no choice but to drive the hazardous vehicle. One hour outside the terminal, the truck ran out of diesel, stranding Carter on the highway. Management then issued Carter a warning letter for delay of freight!

These and other management actions are flagrant violations of the Surface Transportation Act. With the help of TDU and the Truckers Justice Center, a legal advocacy group that defends truckers' rights, Smith, Carter and their steward Dan O'Neil are filing complaints under Section 405 of the Sufrace Transportation Act.

Meanwhile, Carter's disciplinary cases are headed to the Northern New England Joint Area Committee.

"It is outrageous that the company has responded to our fight for driver safety by putting my life in further jeopardy," Carter said. "I will continue to do what I have to do to protect myself and my fellow drivers."

Freight Lines

Yellow Freight Change of Operations.

Yellow Freight has proposed a Multi-Region Change of Operations to be heard the week of June 14. The change, according to plan, would result in a net gain of 121 jobs. Salt Lake City (-83) and Cleveland (-56) would be the main losing terminals, while Memphis (+91) and St. Louis (+54) would be the main gainers.

The change envisions greater use of sleepers (particularly out of St. Louis, Dallas and Chicago) through a six percent reduction of railing and a greater share of the time-sensitive two-day market.

Yellow drivers are concerned that their freight will be mixed in with time-sensitive freight and freight diverted off the rails in order to fill the trailers and get optimum use out of the sleeper operations. As in the past, there are inadequate safeguards for the monitoring of this freight and enforcement of the contract.

Drivers are also concerned that the sleeper operation will create a safety hazard. Yellow has entered into a lease agreement with Ryder/Penske to supply the sleeper cabs. Ryder/Penske will be responsible for all preventive maintenance and all major repairs. Yellow Freight mechanics will make only "running repairs," i.e. lights, brake adjustments, etc., to prevent freight delays.

Hazmat Spill: Township Supervisors Seek To Fine CF.

Middlesex Township is asking the Pennsylvania Department of Environmental Protection to fine Consolidated Freightways for failing to immediately report a March 13 hazardous waste leak at its site. Public officials say a container of hydrogen bromide, a highly toxic substance, was leaking for some time before an employee finally notified township officials.

"(CF management) was more concerned with 'How can we keep this operation moving,' " Middlesex Township Fire Chief Ed Beam told the town supervisors. "They were completely disorganized (and) uncooperative." Seven CF employees were treated for exposure to the chemical.

Hours of Service Tug-of-War Continues.

The National Transportation Safety Board wants the federal government to put new hours of service regulations in place within the next two years.

The government is reportedly close to dismissing a proposal to involve all interested parties in a negotiated settlement for a new standard. Instead, they are likely to revert to traditional rule-making methods where the Office of Motor Carriers and Highway Safety will propose new rules and then open them to public comment. This is the route that TDU supports.

All parties involved are claiming to want greater safety built into any changes in the 64-year old regulations, but trucking management has a perverse take on safety. While various proposals are being floated, all the employer-backed ones are seeking to loosen the standard so they can compel drivers to run more hours.

They are banking on their political muscle and their army of lobbyists to distort the scientific evidence on "fatigue factors" in such a way as to convince federal regulators that drivers can work more hours per week, safer, if only there is a different configuration to the hours worked.

Truck safety advocates, on the other hand, argue that the answer to fatigue is to shorten work hours and allow drivers the option of longer weekly recovery times.

NationsWay Closes.

In a move that surprised even the man running the company, NationsWay closed its doors on May 19, putting some 2,500 Teamsters out of work. With an arrogance seemingly unique to the super rich, owner Jerry McMorris didn't bother to tell anyone, not even Cal Wolfe, the top executive officer of the company. (What happened to 60-days notice for employees, as provided by the WARN act?)

In fact, to get any information at all, the news media had to track McMorris down at Denver's Coors Field, where he was watching his Colorado Rockies play. He cited competition from small companies and weak profits in recent years as the reason for the closing.

Airborne Teamsters' Contract Fights

In New York, Airborne's largest market, rank and file Teamsters stunned the company and New York Local 295 leaders on May 1 by rejecting their tentative agreement 699 to 516. Members are not happy with the wage increase or the 10-year (!) wage progression in the deal.

There are over 2,000 Airborne Teamsters in the New York City area, most in Local 295, with office and courier groups in Local 851. These are locals with a history of old guard, mob-connected leaderships that have negotiated past sweetheart deals with multi-tier wage scales.

For example, while the 4,500 Airborne Teamsters under the NMFA have 90 percent full-timers, the Local 295 proposal is for a 60 percent ratio of full-timers.

After the members' voice was heard loud and clear, Local 295's leadership should be leading the fight for a good contract. Instead they went straight to a management publication, *Traffic World*, to denounce the members! BA Tim Ruggio stated that he should have misled the members by offering up a worse contract before presenting this one.

Meanwhile, in Chicago

In Chicago 700 Airborne Teamsters have been in a 14-month battle for a new contract, led by Local 705. The membership rejected the company's last offer by a convincing 98 percent No vote. But here the leadership of the local is backing the rank and file in fighting to improve the best Airborne contract in the country.

Only half of Airborne is unionized, as the company uses subcontractors to deliver in many areas. Of the Teamster unionized half, about half of that is covered under an addendum to the NMFA. Others are under white-paper agreements, including New York and Chicago. The best such contracts are in Chicago Local 705 and Seattle Local 174.

Hoffa's Freight Coordinator Gives Away Jobs at Yellow

Dallas Local 745 recently signed a side-letter with Yellow Freight which both violates the NMFA and gives away NMFA Teamster jobs. This letter lists 12 major Yellow Freight customers, such as Albertson's, General Foods and Nestle, where *all pick up and delivery work will be subcontracted out.*

Just another sweetheart deal to give away our jobs? Not exactly. Local 745 is the home of none other than Tyson Johnson, who Hoffa just appointed Freight Coordinator for the Southern Region.

So, meet your freight leader: Tyson Johnson. Suspended from membership in the Teamsters in 1997 for converting union funds for his own use; now bagging multiple salaries, thanks to Hoffa's appointment (he's up over $150,000 a year).

Is it now the policy of the International Union to encourage such side-letters to subcontract out NMFA work, or is Johnson off the farm? Which is it, brother Hoffa?

Other major freight locals in the South, such as Memphis 667 and Atlanta 728, refused to give away their members' work.

For a copy of this sweetheart deal, contact TDU. Free to TDU members, others please send donation.

Third Party Threat Expanding?

SuperValu Outsources Drivers' Jobs to Avoid Union

One year ago drivers at Champaign, Ill., Supervalu were celebrating. They had just won a hard-fought organizing campaign. SuperValu Teamsters from across the country pitched in to help with the successful drive, making it a win for everyone.

Today the Champaign drivers face a new and possibly final company attack. As of May 16 their jobs will be outsourced to a third-party operator called BRISK.

"By outsourcing their most efficient operation," Driver Committee Chairman Roger Crisp said, "SuperValu is jeopardizing accounts and tossing the drivers' years of service and dedication on a garbage heap. They did it because we organized and because the only thing they care about is money."

Outsourcing in grocery and warehousing is nothing new. Kroger did it last year in Atlanta, Dallas, Columbus and other areas. In the East, C&S has gobbled up work previously done by Teamsters working directly for chains.

This is not the first time they have outsourced union work. Maryland Local 557 SuperValu drivers found their work contracted out just a couple of years after they organized and obtained a contract. That warehouse is still nonunion — a point that SuperValu is quick to point out when negotiating with New England locals.

One big difference for the Champaign drivers: they do not have a contract. Even their election certification has been up in the air pending the counting of challenged ballots (some of those ballots were counted recently resulting in a tie vote of 75-75). After the vote 95 drivers signed a protest to the NLRB. Among the complaints: that SuperValu threatened to outsource jobs.

"The NLRB might as well have an office right at SuperValu," Roger Crisp said. "They have been totally limp, unable or willing to investigate and charge SuperValu."

City Council Resolution Presses SuperValu to Save Jobs

The drivers' committee is fighting back. On April 3 they held a rally in front of Jerry's IGA in Urbana, Ill., which drew 150 people and got a lot of press coverage. They also pressed the city council to pass a resolution advising SuperValu to not outsource the jobs. "We learned how to fight a multi-million dollar corporation," one driver said, "but the fight is going out of people as this drags on."

SuperValu is threatening drivers by announcing that the level of cooperation from employees will be a factor in severance packages.

Unfortunately, the International Union has ignored the Champaign drivers' plight. A commitment of resources, a strong stand, even hot air and media coverage would have boosted the driver committee's efforts. But the warehouse division and president's office have been silent.

"SuperValu is jeopardizing accounts and tossing the drivers' years of service and dedication on a garbage heap. They did it because we organized and because the only thing they care about is money."

SuperValu Driver Committee Chairman Roger Crisp

There is a chance Supervalu's third party house of cards could fall. As of May 12 only about 20 people (and just four former employees) had signed up as owner-operators for the new operation. No wonder — it means buying a used truck from SuperValu and returning to work with no benefits, no retirement, no vacation or seniority protection. The outfit even requires drivers to pay for reefer fuel.

Even a "trial offer" — stick with it 61 days and get a $1,000 bonus and be able to sell the truck back if you decide to split — is failing to lure in drivers.

The bottom line is that corporations like SuperValu have a strategy — outsourcing — to divide and conquer and do away with good jobs and benefits. We need aggressive, realistic strategies to unify, fight back and save Teamster jobs.

Frito-Lay News from Up and Down the Street

Rank and File Newsletter Sheds Light On Frito Benefits.

Benefits NonPlus, "An alternative publication that really explains what's happening to your health benefits," is being distributed by rank and file Frito-Lay Teamsters. A recent issue traces the decline in coverage since 1986. "The level of coverage drops from a high of 90 percent in 1986 to a potential low of 60 percent in 1999," the newsletter explains, "while the annual deductible climbed from $150 to $350 and the limit on out-of-pocket expenditures soared from a maximum of $1,000 to $7,000. At the same time, *Benefits NonPlus* argues, Frito's contribution has declined over the years, to 94.9 percent (using the least comprehensive plan for comparison) for 1999.

At one time, most Frito-Lay Teamsters were covered by union benefits. When negotiated away, Frito promised company-provided benefits would keep pace with union plans. Today most Frito-Lay Teamsters fall far behind members at other major companies in both medical and pension benefits. Freight, UPS and many other members have medical contributions fully covered by the employer. Teamster pensions at other major employers are now running $3,000 or more per month for 30 or more years' service.

Frito-Lay members deserve better pension and medical benefits. The Bakery Division has failed to fight hard on this issue. We need to build a strong rank and file network at Frito-Lay that can push for the positive changes needed. After all, our families' futures are at stake.

Bin 24 Bombing?

Bin 24, Frito's most recent product delivery brainstorm, is not living up to management expectations. What management always seems to forget is that no matter how you divide up the work, product still needs to be checked in, packed out and sold. Supermarket receiving departments are far from efficient and have more than snack food and Frito-Lay's market share to worry about. Meanwhile, route sales drivers continue to come under attack, with Frito asking for more and more and using outrageous compliance sheets to enforce it. Their goal: revisions without revisions, a constant reshuffling in the never-ending quest to have numbers look right for reports.

Will New Bakery Division Director Fight for Frito Teamsters?

Richard Volpe has been appointed head of the Teamster Bakery Division, which is supposed to coordinate representation for bread, cake and snack food members. Volpe is head of a small local in New York. A little over a year ago the International Union finally kicked off a campaign to coordinate Frito-Lay bargaining. This came on the heels of a pressure campaign by members and local unions. The International's initial focus, based on surveys of local unions, was on improving medical and pension benefits.

Will Volpe and the new administration continue and expand the campaign to win better contracts and representation for Frito-Lay Teamsters? Frito-Lay members and local union officers should let the Bakery Division know that resources and coordination are critical. The Frito-Lay Rank and File Network has copies of letters and petitions that can be circulated and sent to the Bakery Division.

Nashville Local 327 Grocery Strike One Month Old

On May 1, 325 drivers and warehouse workers walked out at Galaxy in Nashville. They are fighting to preserve their health insurance, their wages and, above all, their future jobs.

Galaxy services all the Kroger stores in Central Tennessee. Kroger contracted the operation out to Galaxy to try to get out from the Kroger master contract, while Kroger personnel are still in the warehouse, and Kroger leases trucks and equipment to Galaxy.

Teamster Lines Solid

The Teamsters are solid. No one has scabbed in four weeks on the line. When the Local 327 leadership took no steps to even handbill the stores (let alone shut them down), members took the initiative to make sure it happened. Strikebreakers have been brought in from out of state at great expense and with huge operational disruption.

These Teamsters deserve the full backing of our union. On May 8 James Hoffa was in Nashville for a carhaul rally and to campaign for his candidate in the Southern rerun, and he held a press event at the picket line and promised to win it with the full backing of the International. However, so far no national boycott of Kroger or any other meaningful action has occurred.

The Nashville Teamsters, many of whom have worked at the warehouse for decades, are determined to stand together against corporate greed. They deserve all our support.

Enforcing Your Rights Under Warehouse Production Standards

Are you working in a warehouse with computerized production standards? Is management planning to introduce them? If so, you and your co-workers need to know your rights under these systems and ways to protect yourselves from unjust discipline and unreasonable working conditions.

Unless the contract prohibits it, companies have the right to introduce production standards, but the union can negotiate over every aspect of the program. That includes enforcement levels, discipline, travel time to the break room, etc. Unfortunately, most people, including union representatives, are unfamiliar with how the programs work.

Company engineers and smart-ass supervisors will try to intimidate members into accepting their word as final when it comes to the standards. But any member can learn how the systems are developed and how to monitor them so that your rights are respected.

When management sets the enforcement level at 100 percent, they are not thinking about your future, they just want to milk you for all that they can.

A Fair Day's Work Is Not 100%

Many companies tell workers that they must work at a 100 percent enforcement level. That means if the ticket says you can pick an order in 60 minutes, then they expect you to do it in 60 minutes. Every time, no exceptions.

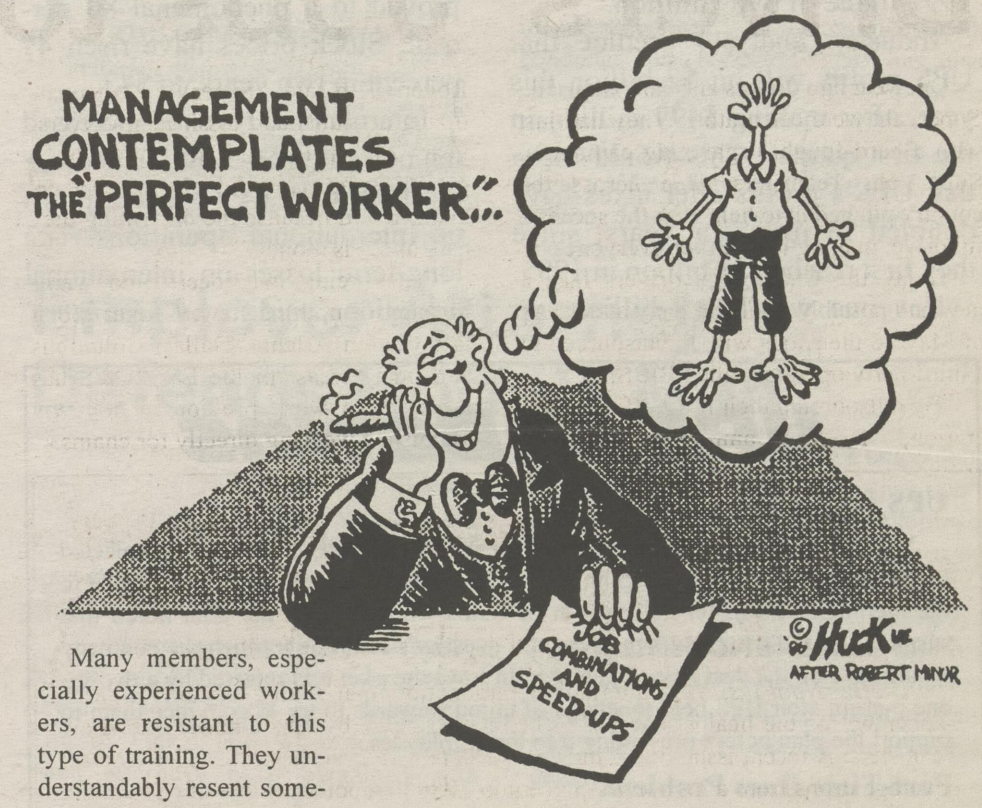
The union should set a goal of reduced enforcement levels because no system is perfect. Setting standards is not an exact science. Two different engineers analyzing one order could easily differ by a few minutes either way. A lower enforcement level is more reasonable because it takes variations into account. Enforcement levels should be lowered even further during overtime to take fatigue into account, yet many systems do not.

When management sets the enforcement level at 100 percent, they are not thinking about your future, they just want to milk you for all that they can. It may not be so hard to do 100 percent when you're 25, but as you get older, it gets harder and more dangerous to keep up that pace.

Insist on Proper Training

It is also important that you are properly trained in the "methods" that the engineer assumes that workers are using. Do they expect you to z-pick? What should you do when there is a short? What if there is a spill in the aisle? How long should it take to get a pallet? Some delays are taken into account, some are not. To ensure that you are getting your full due, management should post a list of valid reasons that you can "get downtime" or "go off the standards."

The steward can ask management to have their engineer show him/her and a committee of selectors what is expected in picking an order. Then everyone should be trained in the methods, and management's attempts to force shortcuts should be challenged. Under production standards, even seconds can be the difference in whether someone can be disciplined or not.



Many members, especially experienced workers, are resistant to this type of training. They understandably resent someone telling them how to do their job when they have been doing it, and doing it well, for years. But the issue is not whether you know how to do your job.

To protect their rights, members have to force the company to define their methods. The failure to properly train members in the methods can be grounds for getting discipline thrown out through the grievance procedure. But this right goes out the door if members turn down training.

Knowing the proper methods also helps you preserve your working conditions. Every time you make short cuts by not using the methods, you are creating a reason for the company to try to tighten up the standards later.

Protecting Members from Discipline

Insist that the union negotiate a fair discipline policy related to the production standards. Ideally, there should be more steps than the regular disciplinary system with ways to eliminate disciplinary warnings in a short period of time.

Above all, the steward must have timely access to all information necessary to defend selectors and hi-lo operators from unfair discipline. That includes computer records of each order.

These records are often "dumped" after a few days, so it is important that any discipline be issued in a timely manner, and that the steward be informed of the discipline so that they can obtain the computer records when necessary.

The steward has a legal right to this information. Contact your local or TDU if you are being refused access to it.

Monitor & Challenge the Standards

Keep track of changes. If you have a new aisle configuration, a lot of new product, or the company moved where the pallets are stored, the standard needs to be adjusted. If management changes the standard to "tighten it up" with no reason, your local has the right to challenge it.

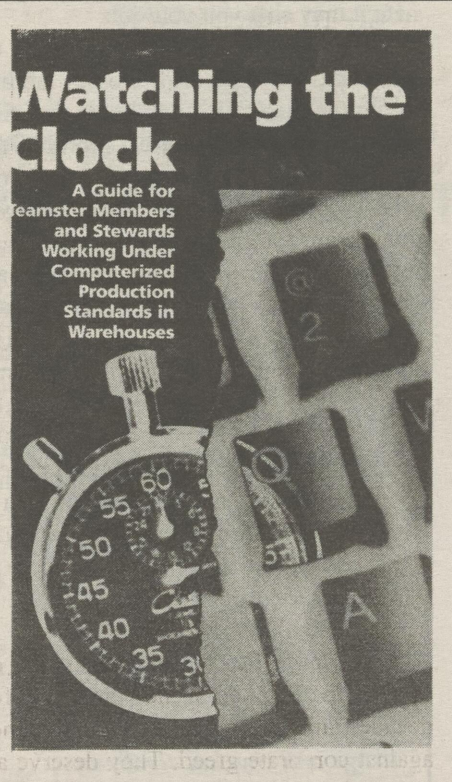
Keep notes about changes and tell your co-workers to keep them as well. Setting up a committee, official or unofficial, to track these things will make it much easier to monitor the situation.

If excessive discipline is resulting from the standards or members believe that the standards are unfair for any other reason, then they should file a grievance. When investigating or pursuing grievances, the union is entitled to a wide range of information about the standards. In addition, your local can request an audit by an engineer from the International Union.

Rank & File Organization Is the Key

It's never too late to do something about standards. Rank and file education and shop floor organization are the key. Contact the TDU office for information on how to monitor standards and protect you and your co-workers from discipline. TDU can set up a workshop on production standards in your area and provide you with sample information-request letters, disciplinary agreements, and contract language that protects workers' rights.

Production standards are a fact of life, and are spreading. The fight against unreasonable engineered standards will be ongoing. The best defense will always be an educated and organized rank and file on the dock and on the shop floor.


Watching the Clock
A Guide for Teamster Members and Stewards Working Under Computerized Production Standards in Warehouses

For more information on enforcing your rights under production standards, ask your local or the International for a copy of "Watching the Clock" the excellent guide published by the Warehouse Division of the International Union.

If your local or the International refuses to make this guide available to rank and file members, contact TDU for assistance in getting a copy.

UPS Hits Record Profits

UPS profits for 1998 were a record-high $1.74 billion after taxes. This is nearly double the 1997 figure of $909 million.

Industry analysts predict that UPS profits will hit $2 billion this year, after making $499 million in the first quarter. This would mean that UPS's profits after taxes have doubled in just four years, since they first reached $1 billion in 1995.

Revenue was $24.8 billion, up ten percent from 1998. Profits doubled on just ten percent more revenue. The operating ratio improved to a phenomenal 86 percent. Stock prices have risen 47 percent in two years, to $43.

International revenue increased ten percent to $3.3 billion and, for the first time, UPS made a profit on international operations. The long-term losses on international operations, paid for by Teamsters' labor in the states, have finally turned around.

Does this sound like management can afford to create the 4,000 full-time jobs (by combining part-time jobs) by July 1?

(Information compiled from the Securities and Exchange Form 10-K, Annual Report to Shareholders and Proxy Report for 1998.)

1998 Compensation to Top UPS Officers

Salaries & Bonuses

	1998 Salary	1998 Bonus	1998 Total
James P. Kelly	$771,500	$319,277	$1,090,777
John W. Alden	588,000	252,480	840,480
Robert J. Clanin	450,500	194,620	645,120
Joseph R. Moderow	442,000	189,360	631,360
Charles L. Schaffer	492,000	210,400	702,400

Shares Owned & Value

	Shares Owned	Value at $43
James P. Kelly	207,172	$8,908,396
John W. Alden	196,651	8,455,993
Robert J. Clanin	210,009	9,030,387
Joseph R. Moderow	154,243	6.632,449
Charles L. Schaffer	177,838	7,647,034

Additional members of the UPS board are not listed.

UPS & Downs

UPS Health Plan Voted Down.

Members in St Louis Local 688 and Des Moines, Iowa, Local 90 have rejected UPS's proposed alternative health plan. UPS management worked hard to sell it to the members. Teamster activists in St Louis who opposed the plan noted that suspicion of the company's motives and questions about how much the company would save on the deal helped defeat it. In Iowa the plan was rejected by a two-to-one margin after UPS held meetings of union stewards to try to convince them to support the plan before presenting it to the employees.

Part-Time Dues Problem.

Dues (and initiation fees) for part-timers are two or three times higher, as a percentage of income, than for full-timers. A part-timer who makes $9.50 an hour and is guaranteed 17.5 hours makes $166.25 a week, and pays about $19 per month in many locals. A full-timer who makes $21 an hour and is guaranteed 40 hours makes $840 a week, pays about $42 a month. The part-timer is paying well over twice as much based on his or her income. Some locals also have high initiation fees for part-timers.

Our locals need money, but for hundreds of thousands of young people who pass through UPS, we want their first experience with unions and with the Teamsters to be positive. Also, in the states with "right to work" laws, higher dues make it harder to get part-timers to join. The IBT Constitution has a special clause, Article 10, Section 3(d), for low-paid workers to pay a special dues rate. A similar clause to give some relief to part-timers would be in order.

The starting rate for part timers has increased only 50 cents since 1982. That increase (and the increase in the guarantee to 3.5 hours) was won in our 1997 strike.

UPS Gets Credit for Effort.

IBT Health and Safety Director Lamont Byrd was quoted in an Associated Press article giving UPS credit for improving its safety practices.

UPS was at the top of all companies receiving notices for multiple violations. The company claims to have spent $1 billion since 1995 on improving safety programs.

Byrd said, "I do see some positive things that they're doing." The Comprehensive Health and Safety Program and HABITS (UPS's new safe work-methods training) are not enough. Until UPS puts safety ahead of a push in productivity, they won't get off of OSHA's list of shame.

Take a Sick Day and It Will Cost You.

After the new Southern supplement was settled, members noticed that UPS had combined their personal and sick days into one pool and renamed them option days. Option days can be taken for any reason, but UPS often makes members use them for the first seven days they are off in a year.

Before option days were instituted, members could call in sick, use a sick day to get paid, and not have an absenteeism occurrence added to their record. Now, they can still get paid by using an option day, but a sick day not planned in advance counts against their absenteeism record. A member in New Orleans was suspended after using a sick day when he had injured himself at home.

Members should be wary of option days sneaking into other supplements. Attempts to reverse this interpretation at the panel have not been successful.

Members concerned about this issue should contact TDU.

Understanding Our Contract

Using Article 37 to Combat Harassment

UPS employees in many areas are victims of harassment on a daily basis. If you or your co-workers are subjected to nasty or disrespectful treatment, here is what you can do. These procedures are used by Teamster members, stewards and locals to enforce our contract and protect our employees.

Document all incidents of harassment such as supervisors threatening you, cursing at you, using disrespectful names, screaming orders, telling you that your job is on the line to scare you, or writing you up for incidents they let others get away with. This documentation will be critical to showing that harassment is ongoing, not an isolated incident.

File grievances. Start with the most severe case of harassment. File more grievances if similar incidents occur. Don't stop if you lose the first grievance. It takes a while to build pressure to get management to pay attention to a harassment grievance.

Use group grievances where possible. For instance, a whole belt can file together against their supervisor because of constant harassment, in one grievance or separate ones. It will show a pattern and make it hard for anyone to be singled out.

Keep a cool head and work as directed. Don't let management harassment make you so upset that you refuse an order from your supervisor. You can address the issue later. If you are insubordinate it may cost you your job.

Stand up for yourself and your co-workers. If a supervisor crosses the line, say to the them: "Do you know that Article 37 of the union contract prohibits this type of conduct? I expect you to stop or I will file a grievance." Make sure you don't stop working and keep a calm, relaxed tone of voice. After the shift ask your steward to talk to the supervisor and file the grievance.

Excerpt from Article 37, Section 1

The employer shall not in any way intimidate, harass, coerce or overly supervise any employee in the performance of his or her duties. The employer will treat employees with dignity and respect at all times, which shall include, but not be limited to, giving due consideration to age and physical condition.

Southern Rerun Election

Hoffa Administration Found Guilty of Threatening and Extorting Members

Just one month after taking office, a key supporter of General President James Hoffa has been found guilty of threatening to cause members to lose their jobs at a grievance hearing unless their business agent signed a letter of endorsement for Hoffa-candidate for Southern Region Vice President Charlie Gardner and contributed $300 to his campaign fund. At the same time another top Hoffa appointee was found to have shaken down union staffers to demand Hoffa campaign money from them, under threat of firing.

"It didn't take long for blacklisting to rear its ugly head again," noted TDU leader Joyce Mims of Atlanta.

In a May 13 decision, Election Officer Michael Cherkasky found that, Chuck Crawley, president of Houston Local 988 and one of the chairs of the Southern grievance panels, told a business agent from Atlanta Local 728 that since she had four members' grievances coming before him the following day, she had better sign a letter of support for Gardner and give Crawley $300 for Gardner's campaign fund. Two of the grievances involved possible job loss.

Return to the Past

"This is just what members faced in the 1980s — blacklisting and threats to members, noted TDU national organizer Ken Paff. "In Ron Carey's term of some six years, this didn't happen. It was never found to have happened by the EO or any other court officer. Now, one month into Hoffa's term, blacklisting is back."

In addition, Ken Hilbish, Hoffa's Warehouse Division director, was found guilty of threatening union staff that if they did not donate funds to Hoffa's campaign debt they would lose their job.

TDU Calls for Removals

TDU has called on Hoffa to remove Crawley from his position on the grievance panel and for the Ethical Practices Committee to remove Crawley from the union. If Hoffa won't remove an appointee found guilty of threatening members, we can only assume that Hoffa condones that behavior. TDU has also called on Hoffa to remove Hilbish from his post as well.

Atlanta Local 728 has a long history of being a reform local, and is the home local of Doug Mims, Gardner's opponent in the Southern rerun election

Employer Attorney Defends Hoffa's Man

When the new IBT Warehouse Director was caught by the Election Officer threatening to fire Teamsters who don't donate to pay off Hoffa's campaign debt, he went out and got an attorney to file an appeal.

He needed an attorney he could really rely on, so he got one who represents ... union busters! That's right, he got the firm of Finkel and Whitefield. These same attorneys have bargained with Hilbish and refused to allow a union dues check-off clause, because they just don't believe in that. Being corporate attorneys, they certainly should be well informed on how to threaten union members.

Do these employers' attorneys represent Hilbish for free? And if so, what will Teamsters caught in this love affair between Hilbish and the employers be giving up in their contracts for Hilbish's defense.

Southern California, Arizona

Hoffa Dissolves JC 92

General President James Hoffa has dissolved Joint Council 92 and sent the members back into their original joint councils. JC 92 was comprised of 10 locals in Southern California and Arizona and had over 50,000 members.

The joint council was created in 1994 to save members' money by eliminating excessive per capita taxes locals paid to the old joint councils because of the outrageous multiple salaries of their officers.

Hoffa ally and Vice President Jim Santangelo's Joint Council 42 will be the biggest beneficiary of the new arrangement. JC 42 charges its member locals $1.26 per member per month in per capita tax. JC 92 had charged locals only 65 cents per member per month — half as much. The difference is to pay the multiple salaries JC 42's officers have become accustomed to.

Members Got No Vote

The dissolution of Joint Council 92 was done without a vote of the members involved and the additional per capita tax will work serious difficulties on the budgets of some of the smaller locals. Even some of the bigger locals like Los Angeles Local 63 are only barely financially viable and must come up with some way to make up for the new expenditures.

"I know how Randy Cammack (Local 63 secretary treasurer) is going to pay for it," said Local 63 activist Dan Kane. "He's going to take it out of the hides of our UPS part-timers. They raised part-timers' initiation fees from $170 to $340 — 40 times the hourly rate! I hope these guys enjoy their fat salaries."

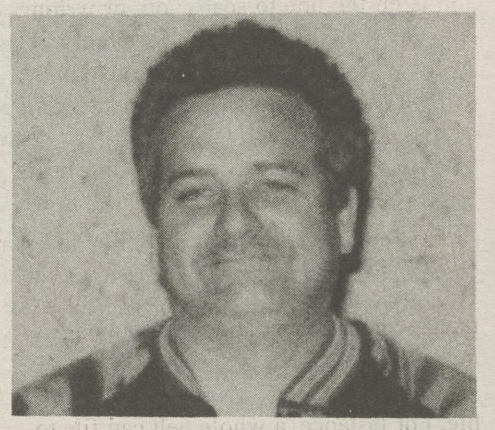
Doing His Part for Teamster Reform

Dan Kane is a UPS part-timer at the Ontario, Calif., air hub and a member of Los Angeles Local 63. Dan is not just a Teamster member, but one who takes his time to get his fellow Teamsters informed and involved.

Convoy Dispatch asked Kane to tell us about how he recruits to TDU:

"At the beginning of 1999 I set a goal of recruiting two new Teamsters to TDU each week, and I'm on track to achieve that goal. I talk to the stewards and shop floor leaders about TDU and once they've joined I encourage them to wear TDU T-shirts and help spread the word of reform.

"I regularly distribute *Convoy Dispatch* and use TDU as an educational resource



for Teamsters. I make sure members know what educational materials are available, so they can educate themselves on their rights and on unionism."

Carhauler to Get His Day in Court

Hoffa Was Original Attorney Defending Old Guard Deal

A federal appeals court has issued a decision that takes the former old guard president of Flint, Mich., Local 332 to task and entitles Flint carhaulers to their day in court. The old guard's attorney on the losing side of the case was one James P. Hoffa, until he left for greener pastures.

The court ruled that a Flint carhauler employed by Complete Auto Transit (then part of Ryder, now part of Allied) is entitled to a jury trial on his claim that Local 332 violated its duty of fair representation when Molpus negotiated an endtail deal to deny over 200 Ryder drivers their seniority, putting them behind nine yard drivers, including Molpus's son, who had two years seniority.

In 1992 Ryder struck a deal with Molpus to transfer all of the local yard work that had been performed by Complete drivers to TSI, a new Ryder subsidiary. Any Complete drivers wanting to continue doing yard work were endtailed onto the TSI seniority board. Molpus only allowed the TSI drivers to ratify the proposed rider, claiming it "affected" only their work.

Bob Williams, a carhauler with 33 years of terminal seniority, was not happy to give it up. Thanks to his daddy's endtail agreement, Michael Molpus was able to bid onto a day shift shuttle driving job, while Williams, who was over 60 years old, was stuck with more difficult nighttime rail loading work. When Williams filed a grievance, Howard Molpus informed the joint committee that heard the case that the "affected members" had ratified the endtail. The committee approved the endtail and denied Williams' grievance.

Williams retained TDU attorney Barbara Harvey, who filed suit against Ryder, Complete, TSI, Local 332 and Molpus. The litigation revealed that it was Molpus, not Ryder, who had demanded the endtail. Hoffa, who was later endorsed by Molpus, defended the deal.

Other claims against the company are that the endtail violated Article 5 seniority merger provisions, which state a preference for dovetailing; and that Ryder's shell game of shuffling work from one subsidiary to another, resulting in terms and conditions inferior to those previously enjoyed, violates Article 33 and the carhaul contract's Work Preservation Agreement, even when that shuffling of work is between two unionized subsidiaries. The lawsuit also claims that Ryder was a "single employer" with its subsidiaries, including Complete, TSI, and others. Thus the deal was indefensible under Article 5.

Molpus was so humiliated by the lawsuit's exposure of his self-interested deal that he refrained from running for office in the next election. He returned to a high seniority spot on the Complete driver list, but he had to give up all of his terminal seniority rights in order to transfer to TSI to do yard work.

Anheuser-Busch Contract:

Time To Act

Rob Hermann
Local 1149, Anheuser-Busch
Baldwinsville, N.Y.

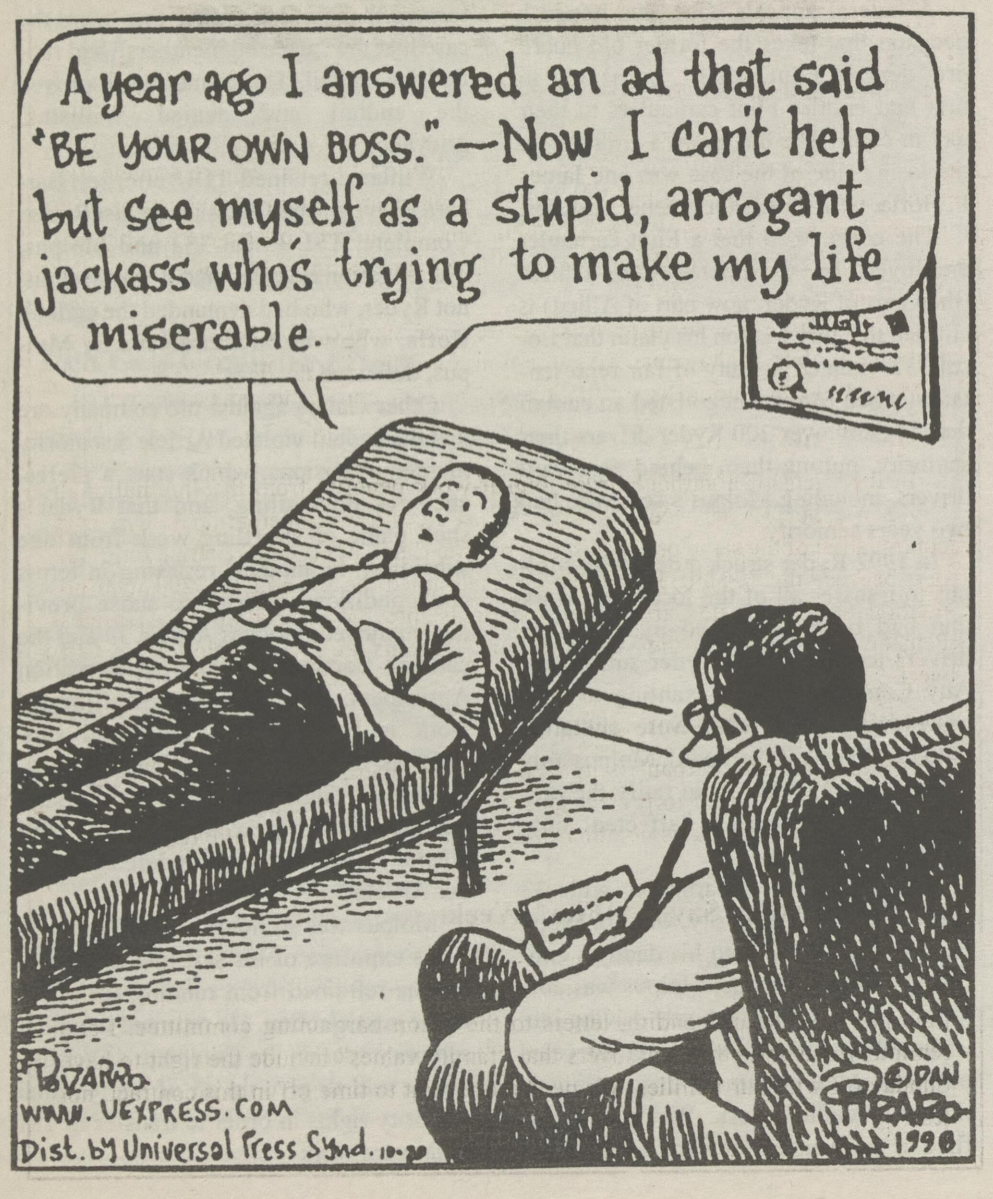
As Memorial Day, peak season for breweries, approaches, Anheuser-Busch Teamsters are wondering where their leadership is. All during the campaign and even afterward Hoffa promised to "commit the full resources of the International Brotherhood of Teamsters to winning fairness for these members."

When Jimmy Hoffa Jr. met with August Busch III last month, Busch absolutely refused to budge on the contract he unilaterally imposed. Busch was unwilling to engage in any discussion about a potential compromise.

Peak season is the time to win a fair contract. But even as it rapidly approaches there is no sign of any attempt to involve the membership in a contract campaign. As things now stand, many A-B Teamsters are demoralized from working eight months under a humiliating imposed contract that includes unlimited seasonal employees, the forced burning of sick days for tardiness, hair folicle drug testing, and other imposed takeaways. It is long past time for the International to combat this demoralization with a contract campaign to reenergize the membership and prepare for the fight to come. Yet A-B Teamsters are hearing nothing from our leadership.

First we were told that the Anheuser-Busch contract fight would be on the front page of the first *Teamster* magazine once Hoffa was in office. Instead we got a picture of Hoffa grinning at us. Then it was suggested that Hoffa himself would visit all of the breweries to help restart our contract campaign, and then it was to be a representative of Hoffa. Neither has happened. While Hoffa has time to fly with his entire Executive Board all over the country to have four gala inaugurations, we haven't seen hide nor hair of him. His new Brewery and Soft Drink Conference Director, Jack Cipriani, requested each local to send people to the A-B stockholders meeting. Some locals, like mine, did; but Cipriani failed to show up.

We are waiting for the new administration to fulfill its commitments to A-B Teamsters. It's time for decisive leadership.


A year ago I answered an ad that said "BE YOUR OWN BOSS." —Now I can't help but see myself as a stupid, arrogant jackass who's trying to make my life miserable.
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1998

Anheuser-Busch Declares War on Unions

With the workers from all 12 Anheuser-Busch breweries suffering the indignity of working under an imposed contract, the fight for justice is spreading throughout the system to some A-B owned distributorships. In Denver, Col., 109 members of Teamster Local 435 have gone on strike against the local Anheuser-Busch owned distributorship. The vote in favor of a strike was an overwhelming 99 percent. The local has asked for a boycott of all A-B products.

Meanwhile, in Boston Local 122 the members voted 81 to 7 in favor of a strike at another A-B owned distributorship. Teamster members there have been working without a contract since November, 1994 and under a company imposed offer since February, 1997.

In a related development, the United Steelworkers are asking everyone to boycott all Budweiser and Bud-Lite in aluminum cans. This aluminum is coming from locked-out Steelworker plants. The Steelworkers have been locked-out of Kaiser Aluminum since January.

The A-B war on the Teamsters is getting uglier in the breweries. Hair-folicle drug testing has been implemented and in Cartersville, Ga., (Local 1129) a black female was humiliated by having her hair taken from her crotch area because she did not have enough hair on her head. She had previously volunteered to go to a hospital and have a doctor or nurse take the sample but was denied even that courtesy. Also at Cartersville another employee was held against his will until a specialist from St. Louis arrived. They shaved his fingernails from the top down. They shaved it so low that his fingernails turned purple. The next day he had to wear gloves because his nails were so sensitive.

Buyout Leads to Loss of Teamster Jobs

Stroh's Shuts Down

Stroh's, the fourth largest brewer in the U.S., is shutting its doors after 149 years of operation. Miller bought two Stroh's brands, Mickey's Malt Liquor and Henry Weinhard's. Pabst purchased Old Milwaukee and Schlitz and a Pennsylvania brewery.

As has happened with consolidation in other Teamster industries, the buyout will result in the loss of good union jobs. The closing will affect 2,665 employees at five plants in North Carolina, Texas, Wisconsin, Oregon and Washington, including roughly 1,800 Teamsters.

"It used to be monopolies were getting broken up," Winston-Salem Stroh's Teamster Wilburd Peoples said. "Those days have gone out the window. Now these companies are getting larger and larger — getting more control. This is hurting our bargaining power."

Miller Lite sales continue to decline. Recently the company ousted top corporate officers. Miller needs whatever it can get to keep its barrelage up and increase plant capacity, so the Stroh's purchase will be a small but desperate boost.

Stroh's employees will reportedly "receive consideration for employment" with Miller Breweries. At this stage that is a vague promise. Absent existing contract language, Teamster locals will have to bargain with Miller individually to attempt to get real commitments. North Carolina Local 391, for example, is meeting with Miller the week of May 17.

Washington State

Breakthrough in Apple Warehouse Organizing

Stemilt Growers, the largest warehouse in the Washington State apple industry, has signed an agreement with the Teamsters Union pledging to recognize the results of an upcoming card check for union recognition. If a majority of the workers sign union authorization cards supporting the Teamsters before Sept. 15, the company will begin negotiations for a first contract. Stemilt employs over 600 workers who sort, pack and process fruit for shipment around the world. There are currently no union contracts in the huge Washington apple industry.

"Stemilt said they would never sign any sort of agreement with the Teamsters, but we made it happen. Now we need to convert the agreement into a union contract by organizing our co-workers again to show that we have a union with a strong majority at Stemilt. We have an opportunity to set a new example for the rest of the industry. If we succeed here, union contracts are closer in this industry for over 15,000 apple warehouse workers," said Stemilt worker and Teamster supporter Salvador Castro.

This breakthrough comes after almost three years of worker-to-worker organizing. In January 1998, workers narrowly lost NLRB elections at two key warehouses, Stemilt in Wenatchee and Washington Fruit in Yakima, together representing almost 900 workers. The narrow vote losses came after intense campaigns of intimidation by the employers including firings, suspensions, surveillance, and threats of plant closure or deportations if the union were to win the vote.

These massive violations of labor law resulted in months of hearings before the NLRB where over 100 workers testified about their employers' law violations. The recent agreement at Stemilt was the result of testimony by these brave workers. Hearings still continue at Washington Fruit.

A Bold New Organizing Concept

Three years ago, the Teamster Warehouse Division, under the leadership of Tom Leedham, launched the industry-wide 'United for Change' campaign to organize the 15,000 warehouse workers in the Washington apple industry. This was a ground-breaking campaign for the Teamsters for many reasons: it involved organizing a workforce composed largely of immigrants and women; it represented a return to the bold industry-wide organizing of the '30s; and it involved new cooperation with the United Farm Workers, who are seeking to organize workers in the apple orchards.

Rank and file Teamsters came from around the country to organize as volunteers or project organizers. Many more contributed money to a Worker Defense Fund for illegally fired workers. And staff from the International's Warehouse Division, as well as the Organizing, Research, Education, and Communications Departments, provided needed support.

Most importantly, the apple workers themselves were involved in the campaign from the start. They participated in meetings, job actions and rallies. And they reached out to the community to build a support network of labor, religious, student, Latino, and other organizations. They reached across the border to build ties with Mexican unionists and concerned government representatives.

They organized for worker power and real economic development that benefits the whole community. This same strategy can win a good first contract, and continuing union recognition at other warehouses, and in the fields.

This is the kind of campaign it will take to build our union in warehousing, trucking and other Teamster fields. This tentative victory over the apple industry's most powerful employer has shown it can be done.

Looking to the Future

In a recent interview with the *Chicago Sun-Times*, Hoffa Jr. pointed to the apple campaign as an example of projects the union would support. Nevertheless, the Hoffa administration recently fired all the organizers involved in the successful campaign.

Lorene Scheer, the lead Teamster organizer on the campaign over the last three years, says the groundwork has been laid for victory if a maximum effort is made to bring it home. Scheer stated, "Union recognition and a Teamster contract *could be* written into the history of the apple industry. Apple workers in other warehouses and in the fields are intent on organizing, and a victory at Stemilt will mean more organizing and real gains throughout the industry. I hope to see this happen. Now it's in the hands of the new Teamster administration to give these workers the support they deserve."

1999 TDU Convention
November 5-7
Sheraton Airport Hotel Cleveland

For more information, see future issues of Convoy Dispatch, or call TDU at 313-842-2600.

Norfolk, Va., Local 822 Carhaul

IBT Refuses to Act Over Allied Grievance Sellout

In last month's *Convoy Dispatch* we reported on the efforts of Norfolk, Va., Local 822 carhaulers to get a panel decision against Allied enforced. The grievant, Gerald Brewer, contacted President Hoffa, Carhaul Director Doc Condor and the IBT legal department on April 20 asking that they enforce the original grievance decision and vacate a subsequent arbitration award that let Allied off the hook.

Rather than take swift action, Hoffa referred the matter to Condor. At stake are millions of dollars in lost work for Norfolk drivers.

Brewer contacted Hoffa again on May 7, asking if the IBT would take steps to void the bogus arbitration award and enforce the panel decision.

As of May 24, the deadline for taking legal action to void the award, Hoffa has refused to take action, or even respond to Brewer.

Carhaulers are demanding the right to strike to prevent this kind of injustice. This case shows why it is so important.

Carhaul News

Roger Penske: Union Buster.

Roger Penske of Penske Logistics, which owns Leaseway, also owns Detroit Diesel. Since acquiring Detroit Diesel from General Motors, Penske's made his mark as a nasty union buster. He closed his plant in Romulus, Mich. to open a nonunion plant in Canton, Ohio. He claimed the unionized workers were to blame, and he's fought the United Auto Workers tooth and nail in Canton. He personally signs anti-union literature.

When Penske was advertised as the keynote speaker at a conference of the National Labor Management Association for May 23-25 in Cleveland, auto workers and other unionists set up a picket line. The conference was canceled!

Strike Benefits $55.

In the event of a carhaul strike, out-of-work benefits from the International Union will be $55 per week, according to sources at the International. This is a continuation of the same program set up by Ron Carey after the IBT strike fund ran dry, because the 1991 IBT Convention quadrupled the benefits to $200 with no method to pay for it. Carey froze payments into the officials-only Affiliates Pension Plan to pay for the strike program. Benefits are not payable for the first week.

Article 48 Central-Southern.

A strike issue for carhaulers in the Central-Southern area is Article 48. Major improvements are need to protect jobs. Load-for-load backhauls is one element. No forced redomicles is another. As of late May, the employers are still stonewalling it.

Shop Teamsters Say No 'Flex' Week.

Shop and yard Teamsters are making their views known on proposals for seven-day operations that eliminate Sunday as a premium day (optional work, double-time pay). Some are sending letters to the union bargaining committee. Let's remind Allied and other employers that "family values" include the right to have Sunday off with our families. We need more right to time off in this contract, not less.

Summer May Sizzle

Northwest Airlines Strike Ballots Out

The leadership of Teamsters Local 2000, which represents Northwest Airlines (NWA) flight attendants, has decided they've had enough of the company's stalling and have asked members to authorize a strike. Ballots have been mailed to the 11,000 members and will be counted on June 5. An authorization would allow the union to pursue any form of a strike after the mediator declares impasse in bargaining and following a 30-day cooling off period.

"Northwest management may treat Flight Attendants like weak, gullible, children, but they know we're the front-line public relations with their flying customers and when we're united, they're scared. Management's out there counting how many of us are wearing green ribbons and using 'I Will Strike' bag tags."

— Danny Campbell
Local 2000 Secretary-Treasurer

Upon announcement of the strike vote, NWA's stock price dipped $2 a share and management immediately petitioned the National Mediation Board to move talks up from June 7 to May 20. Local 2000 agreed on strict conditions that a senior executive be present with the company's checkbook. But the meeting was a diversionary tactic, "a total waste of time," said President Billie Davenport in a message to the members. The union will ask for release from mediation if the company has not moved on the issues come June 7.

While management continues to hold out on priority issues at the bargaining table, the members are willing to fight for an industry-leading agreement.

"It appears management is not hearing the voice of 11,000 members at the bargaining table," writes the union's leadership in a letter accompanying the strike ballot. "Management proposals in the areas of retirement and compensation are far too inadequate for the sacrifices made under the concessionary agreement that we still work under to this day."

Northwest is manipulating numbers to misrepresent industry standards. Delta Airlines recently awarded a large pay increase and better retirement package to its flight attendants, and Northwest refuses to include Delta's figures in computations "because Delta's flight attendants are nonunion" (in the largely union industry). However, in 1993 when Northwest asked for concessions, Delta was included.

American Airlines flight attendants have also reached an agreement, in just nine months, that they are calling "industry leading." Local 2000 is awaiting details of American's agreement and will demand that these figues be factored into industry averages.

Mobilizing for Unity

While stalling happens at the table, there's unprecedented momentum in the field. "I haven't seen so much activity in my 22 years at Northwest," says President Billie Davenport, who applauded CAT, the union's rank and file Contract Action Team, for mobilizing its members who live and work virtually around the globe.

Member CAT trainings are ongoing from Boston to Japan, and activity is stepping up to get the strike authorization votes in. It is this contract mobilization and involvement approach, made possible by the reform leaders and activists in the local, that has put a positive dynamic into the bargaining process.

More than 100 flight attendants attended a recent CAT training at the Seattle base. CAT coordinator Kristi Valenzuela said, "The unity we are building here in Seattle is fabulous! Our members even gathered funds to support our brothers and sisters at Alaska Airlines who have been fired due to the alleged sick-out there. People are catching on to what solidarity is about and what it takes to beat these greedy airline corporations."

"Northwest management may treat flight attendants like weak, gullible, children," says Secretary-Treasurer Danny Campbell, "but they know we're the front-line public relations with their flying customers and when we're united, they're scared. Management's out there counting how many of us are wearing green ribbons and using 'I Will Strike' bag tags."

The CAT network continues to grow and the members are keeping up the pressure on the bargaining process.

They've Got Guts

In preparation for what may be a non-traditional strike, flight attendants are eagerly offering to be the chosen ones, should the union pursue a selective strike strategy. A selective strike would target only certain flights, giving the union more flexibility at a lower economic cost to the workforce.

Northwest is finding it tough to hire anyone, given its record of mismanagement and poor treatment of employees, even while Northwest executives continue to rake in fat compensation packages. The union and experts believe Northwest can't take another strike.

Strike Fund and Teamster Support

Once strike authorization ballots are counted on June 5, the local will begin soliciting contributions for a strike fund and seeking solidarity. Anyone will be able to contribute to the strike fund.

"We'll definitely need support from our fellow Teamsters if we are forced to strike," says Campbell. Many Teamsters work at airports across the country and their support will be important."

"We can't say what a strike may look like. We can only say that we have many options to consider. If the company wants to continue to deny flight attendants retirement and working conditions that we can support our families on, it's going to have to deal with a determined and creative bunch of employees."

Nationwide rallies are planned for June 9. Show your solidarity!

New Jersey Local 560

NLRB Rules Against Nepotism, Blacklisting

Greg Noweski's five-year battle against a scheme by NationsWay and Union City, N.J., Local 560's ousted preident is finally over — and Noweski has come out on top. His victory is a victory for rank and file Teamsters in the fight against nepotism and blacklisting.

A three-member National Labor Relations Board (NLRB) panel upheld an earlier decision that NationsWay terminated Noweski at the bidding of Pete Granello, who was then president of Local 560. Granello was upset that Noweski had been placed higher on the seniority list than Granello's son-in-law, even though Noweski had been hired first.

Noweski testified that management terminated him and told him he would not be put back to work until he "straightened out his problems with the union."

Noweski lost 11 weeks pay before he was put back to work. In addition, Noweski's position on the seniority list was given to Granello's son-in-law, costing him years of overtime pay. The NLRB decision awarded Noweski full back pay, including overtime he missed as a result of his diminished seniority status, and restored him to his rightful place on the seniority list.

In a highly unusual decision that revealed the NLRB's disgust with the local officers' role in the scam, the Board ruled that Local 560 would split the cost of reimbursing Noweski for his lost earnings and benefits with management.

"Hopefully this decision will send a message, and officials won't blacklist members who oppose nepotism and other old guard schemes," Noweski said.

Texas Local 19 Members Get Results

Members' Pressure Moves Potter

Airline mechanics from Continental and Southwest finally got J.D. Potter's attention in Grapevine, Texas, Local 19. It took members sending numerous certified letters, flyers denouncing the repression of members' rights, and petitions — one calling for Potter's resignation — but it worked. They finally "won" copies of their bylaws and the IBT Constitution, and the reinstatement of craft meetings for Southwest workers.

Convoy previously reported on Potter's blatant disregard for members' rights and his retro-leadership that has allowed more than 200 grievances to pile up at Continental.

The resignation petition (still circulating) charges Potter with refusing to represent members on their grievances, incompetent leadership, denying information to members required by law, harassment of members, and inability to perform job duties.

The members' organizing efforts also got Hoffa's attention. With all the complaints and threats of decertification by a couple groups in the local, IBT organizers and other union representatives traveled to Texas to meet with Local 19 members from various groups.

It has taken a lot to win small gains for the members, but some are determined to keep fighting to turn the local around.

In the Teamster election rerun for Southern Region Vice President, Potter was up to his usual tricks. When members tried to post campaign literature on union bulletin boards, Potter and his followers tore it down. Determined to educate members about their choices, members pasted the information on their tool boxes and they filed election protests. After complaining, members were told they could post information, but have had to personally police the boards.

Potter looks to be on his way out one way or another. Building member unity toward a new vision for the local is still in.

Reform at the Local Level

Bylaws Key to a Democratic Local

Amending Your Local's Bylaws

Does Your Local Do This?

Do your bylaws say local officers are automatically delegates to the International Convention? (They are not.) Do your bylaws say that in order to become a member you must submit a written application and "take an obligation," ie., an oath? (You don't.) Many local union bylaws have not been amended since the 1970s because members don't know their rights and corrupt or incompetent officers like it that way. These old bylaws most likely conflict with the IBT Constitution and are therefore illegal.

The local union's bylaws define the rules for local officers and members on their rights and responsibilities and how the local operates, including such things as: the election of officers, approval of salaries, whether stewards are elected, and when local meetings are to be held.

Each local has a set of bylaws that contains an amendment procedure. Usually this involves submitting a proposed amendment signed by at least seven members. The proposal is read at three meetings and voted at the third. Most local bylaws require a two-thirds vote to amend. Some require that January is the only month that the process can be initiated.

To gain enough support from the membership to make changes to the bylaws, you'll have to educate members through a campaign, like circulating a petition and distributing flyers. TDU can help you with this.

TDU members are working to strengthen local unions and membership involvement through democratic bylaws. Such changes include election of stewards, election of contract bargaining committees, membership votes on raises for officials, and starting organizing programs.

Model Bylaws

TDU has copies available of the Proposed Model Local Union Bylaws prepared in 1992 that reflect reforms made to the 1991 IBT Constitution. These model bylaws propose the highest accountability to the members and the most democratic process for operating a Teamster local.

You Are Entitled

Members have the right according to the IBT Constitution and federal law to receive copies of their local bylaws, and should be provided updates when changes are made. If you are being denied copies of your bylaws or would like to make changes to your bylaws, contact TDU for assistance.

Pasco, Wash., and Watsonville, Calif.

Members Win Right to Elect Bargaining Committees

After successful bylaws reform campaigns, members of Local 556 in Pasco, Wash., and Local 912 in Watsonville, Calif., have won a stronger voice in their union.

TDU members in the two food processing locals proposed similar amendments to their local union bylaws in January. After the required readings at three general membership meetings, members voted to approve the changes.

As a result, all future bargaining committees at both locals will include rank and file members elected by their coworkers.

"We want workers on our bargaining committees who have to live under the contract and who want to improve our jobs and strengthen our rights," said Maria Chavez, a Local 556 member employed at Iowa Beef Processing (IBP).

Contract and Bylaws Translations

Members also voted to require the two locals to make information available to members in a language they understand. From now on, the Local 912 bylaws and all contracts will be translated into Spanish, the first language of many of the local's members.

"By having the contract and bylaws translated into Spanish, we will be better informed about our rights and we will be stronger in the plant and in the union," said Local 912 member America Avila of Del Mar Foods.

> "We want workers on our bargaining committees who have to live under the contract and who want to improve our jobs and strengthen our rights."
>
> **—Maria Chavez**
> **Local 556, IBP**

Local 556 contracts will be translated into members' primary language whenever 25 or more members petition for the translation. Local 556 has an extremely diverse membership that includes many Spanish speakers as well as immigrants from Laos and Bosnia.

"Information is power," said IBP chief shop steward Maria Martinez. "Making information available to all members is a step toward building power for all members.

Local 90 Members Defeat Executive Board Power Grab

Des Moines, Iowa, Local 90 has a long history of the executive board removing shop stewards who openly criticized them. Fed up with this, the membership amended the bylaws in 1994 to provide for the annual election of all shop stewards.

Ever since then the executive board has been trying to usurp the power of the members to elect their own stewards without executive board interference. A couple of years ago they managed to extend the terms of elected stewards from annual to for the length of the contract.

This year they again tried to amend the bylaws to create a five-person stewards review board that could conduct hearings and "recommend" the removal of elected stewards, leaving final authority to make that decision in the hands of the executive board.

Both the executive board and opponents of this new power grab mobilized supporters to the meeting where three to four times the normal number of attendees showed up. After a spirited debate, on a 40 to 32 vote, the executive board failed to get the two-thirds vote they needed to change the bylaws.

According to Todd Hartsell, Local 90 member and UPS driver, "The members don't want to go back to the old days of executive board dictatorship where the members lose their right to democratically determine who their stewards are going to be."

Why Are They Afraid of Democracy?

Local 205 Officers Block Vote to Allow Steward Elections

Fed up with stewards who refuse to challenge violations of the contract, drivers for Laidlaw Transit in West Miflin, Pa., asked Local 205 President Bill Lickert, Jr. to hold a stewards election.

No can do, Lickert Jr. said, expecting that to be the end of the story.

Local 205 member Betty Bulik and her co-workers had other ideas. Bulik studied her local union bylaws and saw that they could be amended by a vote of the members. Seven signatures were required on a petition to propose an amendement, so Bulik collected 50-plus signatures backing her proposal to amend the bylaws to allow for the election of all shop stewards.

Twice, Bulik has tried to submit the amendment at a general membership meeting and twice she has been denied.

At the April meeting, Lickert Jr. told Bulik that she had to submit the petition to the executive board before it could be brought to the membership. At the May meeting, Secretary-Treasurer Bill Lickert Sr., who apparently doesn't like membership votes any more than his son, told Bulik that the petition had to be presented to the "bylaws committee" before it could be presented to the membership.

Both of the "procedures" invented by the Lickerts violate the Local 205 bylaws and, as such, violate members' rights under the law and under the IBT Constitution.

'Too Much Work'

Why are the Lickerts so opposed to the amendment? Because it would be too much work to conduct the stewards elections, they say. Never mind the hundreds of IBT locals that elect their stewards.

"I've just been amazed by this whole experience. I thought our union officials would want their members to show an interest in their union," Bulik said. "We're not backing down until we get a fair vote and a voice on the job so that we can defend our rights."

Know Your Rights to Representation

Source: "The Legal Rights of Union Stewards (Third Edition)" by Robert M. Schwartz

You have the right, under the National Labor Relations Act, to have a union representative present during investigatory interviews. The U.S. Supreme Court confirmed this right in 1975 in the case *NLRB v. J. Weingarten, Inc.* Since then this right to union representation has been known as *Weingarten* rights.

When should I ask for a union representative?

This specific right to representation is relevant when management questions an employee with the goal of getting information and the employee has a reasonable expectation that he or she might be disciplined. Not all circumstances of employer-employee communication count, only when discipline is a possible outcome.

You can ask for representation anytime during the interview and the employer must cease questioning until the representative is present, deny the request and end the questioning or give you the choice of either continuing without representation or stopping. If they proceed to question you without representation after you specifically requested it, you are not required to answer any questions put to you.

What does the union do?

The steward or union representative serves both as a witness and an advocate. He or she can speak during questioning and advise the employee not to answer abusive, misleading, badgering or harassing questions. The employer must inform the steward about the nature of the matter and must allow the steward to meet privately with the employee.

How do I ask for my *Weingarten* rights?

This is one example of invoking your *Weingarten* rights (clip this box and keep it handy):

> "If this discussion could in any way lead to my being disciplined or terminated, or affect my personal working conditions, I respectfully request that my union representative, officer, or steward be present at this meeting. Until my representative arrives, I choose not to participate in this discussion."

If you feel that your *Weingarten* rights have been violated, you may file unfair labor practice charges with the National Labor Relations Board.

Learn more about your rights! TDU carries a range of literature on your legal rights on the job and in the union.

Contact TDU for more information (313) 842-2600.